

REMARKS

Claims 46-52 are pending. Claims 47, and 49 and 51 are amended. Claim 46 stands withdrawn from further consideration as being directed to a non-elected invention.

Claims 47, 49 and 51 were rejected under 35 U.S.C. §102(b) as being anticipated by *Radford et al.* This rejection is respectfully traversed.

The Examiner characterizes *Radford et al.* as disclosing sputtering a coating on nuclear fuel pellets while the pellets are rotated in a cage structure having an upper cage and lower cage with compartments, and which is openable and closable in a length wise direction. However, claim 47 requires surface-treating that works in a treating chamber, while rotating the works about their axes in spaced apart states. Although *Radford et al.* discloses rotation, the rotation is about an axis of the drum 14, not the axes of the works. As such, *Radford et al.* fails to teach each and every limitation of claims 47 and 51, and thus fails to anticipate these claims.

Claim 49, on the other hand, has been amended to clarify that each work can be accommodated in a compartment in a manner being spaced apart from one another. Its is respectfully submitted that *Radford et al.* fails to teach or suggest these features.

Radford et al. describes at column 4, lines 27-29, that the fuel pellets are aligned end-to-end into columns and side-by-side into rows so that each pallet contains only a single layer of the fuel pellets so that ends of the fuel pellets 22 would not be coated. In other words, *Radford et al.* teaches that “a boron containing burnable absorber on the ends of the fuel pellets would be undesirable...” at column 4, lines 29-32. Such formation of a coating on the ends is considered undesirable. In contrast thereto, claim 49 clarifies that each work can be accommodated in a compartment in a

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manner where each work is spaced apart from one another. Accordingly, *Radford et al.* fails to anticipate amended claim 49.

Claims 48, 50 and 52 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Radford et al.* in view of *Funke*. Favorable reconsideration of this rejection is earnestly solicited.

In this rejection, the Examiner acknowledges that *Radford et al.* does not teach that its nuclear fuel pellets are sintered. *Funke* is applied by the Examiner for its disclosure of sintering nuclear fuel pellets. However, as noted above, *Radford et al.* does not teach rotating its works about their axes. Accordingly, even if the references are combined, the combined teachings fail to teach or suggest the claimed invention.

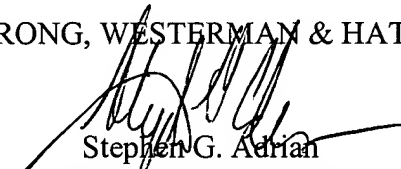
For at least the foregoing reasons, the claimed invention distinguishes over the cited art and defines patentable subject matter. Favorable reconsideration is earnestly solicited.

Should the Examiner deem that any further action by applicants would be desirable to place the application in condition for allowance, the Examiner is encouraged to telephone applicants' undersigned attorney.

In the event that this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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Attachment: Petition for Extension of Time

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